

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Thomas W. Wales,

Plaintiff,

v.

Civil No. 08-39 (JNE/JJK)
ORDER

Tran Trung, individually and in
his professional capacity, et al.,

Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable Jeffrey J. Keyes, United States Magistrate Judge, on November 12, 2009. Plaintiff, an inmate at the Federal Medical Center in Rochester, Minnesota, from January 3, 2005, to April 14, 2009, brought this action challenging the medical care he received while in confinement. Plaintiff asserts a host of constitutional, statutory, and common law claims. The magistrate judge recommended that Defendants' Motion for Summary Judgment be granted. Plaintiff objected to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation.

Based on the files, records, and proceedings herein, and for the reasons stated above, IT IS ORDERED THAT:

1. Plaintiff's objection [Docket No. 145] to the Report and Recommendation [Docket No. 144] is OVERRULED.
2. Defendants' Motion to Dismiss or for Summary Judgment [Docket No. 130] is GRANTED.
3. Plaintiff's Second Amended Complaint [Docket No. 104] is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 16, 2009

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge